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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.25109 of 2018

and

CrI.M.P.Nos.16909 and 14178 of 2018

1.K.T.Rajappan

2.Sivasubramaniam

... Petitioners/Accused

Vs.

1.State represented by

The Inspector of police,
CCB-I, Commissioner Office,
Chennai.

...1st Respondent

2.Vijayakumar

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the proceeding in Crime No.306 of 2018 on the file of the first respondent police registered against the petitioners.

For Petitioner : Mr.P.Kumaresan
for L.Infant Dinesh

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.N.Manohar

ORDER

This Criminal Original Petition has been filed to call for the entire records in Crime No.306 of 2018, pending on the file of the 1st respondent and quash the same.

2. This case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



3. An affidavit of the 2nd respondent/defacto complainant dated 10.07.2019 has been filed before this Court which has been signed by the 2nd respondent and also by his counsel. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.306 of 2018 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.306 of 2018 on the file of the 1st respondent police, is quashed and the memo of compromise dated 10.07.2019 of the 2nd respondent/defacto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

*The Xerox Copy of Memo of
Compromise enclosed

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pnn

To

The Inspector of police,
CCB-I, Commissioner Office,
Chennai.



Copy to

The Section Officer,
Accounts Section, High Court, Madras-104.

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+2cc to Mr. Infant Dinesh, Advocate Sr.59103

Crl.O.P.No.25109 of 2018
and
Crl.M.P.Nos.16909 and 14178 of 2018

sv[co]
srg 30/09/2019